## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRONE ANTHONY DAVIS, : CIVIL ACTION

Petitioner,

.

v.

:

**SUPERINTENDENT** 

PAUL J. STOWITZKY, et al., : NO. 07-2908

Respondents.

**ORDER** 

JUAN R. SANCHEZ, J.

AND NOW, this day of feller, 2008, upon careful and independent consideration of the petition for Writ of Habeas Corpus, and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

- 1. The Report and Recommendation is APPROVED and ADOPTED.
- 2. The petition for Writ of *Habeas Corpus* is DENIED with prejudice.
- 3. There is no probable cause to issue a certificate of appealability.
- 4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

AN R. SANCHEZ, J.